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### FILED/ACCEPTED

OCT 2:12008

Federal Communications Commission Office of the Secretary

#### **VIA HAND DELIVERY**

October 21, 2008

Federal Communications Commission Office of the Commission Secretary 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Re: Section 63.71 Application of TLX Communications Inc. d/b/a TelAmerica for Authority to Discontinue Certain Services

John Staurulakis, Inc. (JSI) respectfully files the enclosed Application of TLX Communications Inc. d/b/a TelAmerica ("TelAmerica") for Authority to Discontinue Certain Services. This filing is made in compliance with Section 63.71 of the Commission's rules (47 C.F.R. § 63.71).

Enclosed are the original and four (4) copies of this filing. Also enclosed is a copy of this transmittal letter marked "FILE STAMP COPY" for stamp and return as proof of filing.

Sincerely,

John Kuykendall

Director - Regulatory Affairs

on behalf of

Robert Burgess

President and Chief Operating Officer

TLX Communications Inc. d/b/a TelAmerica

**Enclosures** 

cc: Janet S. Britton, TLX Communications Inc. d/b/a TelAmerica

Echelon Building II, Suite 200 9430 Research Blvd. Austin, Texas 78759 phone: 512-338-0473, fax: 512-346-0822 Eagandale Corporate Center, Suite 310 1380 Corporate Center Curve Eagan, Minnesota 55121 phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road Building B-3, Suite 200 Atlanta, Georgia 30328 phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane Bountiful, Utah 84010 phone: 801-294-4576.fax: 801-294-5124

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

FILED/ACCEPTED

Federal Communications Commission Office of the Secretary

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In the Matter of )			
<b>)</b>			
Section 63.71 Application of			
TLX Communications Inc. d/b/a TelAmerica) Comp.	Pol. File No.		
For Authority to Discontinue )			
Certain Services )			

#### **SECTION 63.71 APPLICATION**

Pursuant to Sections 63.71 of the Commission's Rules<sup>1</sup> and Section 214(a) of the Communications Act of 1934, as amended,<sup>2</sup> TLX Communications Inc. d/b/a TelAmerica ("TelAmerica" or the "Company") hereby files this application to discontinue the provision of long distance service, in the States of Arkansas, Georgia, North Carolina, Oklahoma, South Carolina, and Tennessee ("Application").<sup>3</sup> In support of this Application, TelAmerica submits the following:

#### I. <u>Information Required by Section 63.71(a)(1) -(4)</u>

#### A. Name and Address of Carrier

TLX Communications Inc. d/b/a TelAmerica 913 South Burnside Avenue Gonzales, Louisiana 70737-4258

For purposes of this Application, the Commission may contact: Janet S. Britton, Director, Legal and Regulatory Affairs TLX Communications Inc. d/b/a TelAmerica 913 South Burnside Avenue Gonzales, Louisiana 70737-4258

#### B. Date of Planned Service Discontinuance

See 47 C.F.R. § 63.71.

See 47 U.S.C. § 214(a).

As required by Section 63.71(a) of the Commission's Rules, TelAmerica has notified and submitted a copy of this Application concurrent with this filing, to the Arkansas, Georgia, and the South Carolina Public Service Commissions, the North Carolina Utilities Commission, the Oklahoma Corporation Commission, the Tennessee Regulatory Authority, the Governor of each of these States, and the Secretary of the Department of Defense. An affiliate of TLX Communications Inc., Advanced Tel, Inc., also operates in these States except Oklahoma. A similar request to discontinue long distance service is being made by Advanced Tel, Inc. as required by Section 63.71(a) of the Commission's Rules in a separate Application.

TelAmerica plans to discontinue service to its customers in the States of Arkansas, Georgia, North Carolina, Oklahoma, South Carolina, and Tennessee on or about December 1, 2008, or upon completion of obtaining all necessary federal and state regulatory approvals.

#### C. Points of Geographic Areas of Service Affected

TelAmerica currently only serves one (1) customer in the State of Oklahoma, in Canadian County, the city of Yukon. TelAmerica does not serve any customers in Arkansas, Georgia, North Carolina, Oklahoma, South Carolina, and Tennessee, although Tel America has the authority to provide long distance service in those States. It is TelAmerica's intent to discontinue offering service in all of the States where it currently has the authority to do so.

#### D. Brief Description of the Types of Services Affected

In the areas referenced above, TelAmerica provides long distance service which will be discontinued.

#### II. Description of the Dates and Methods of Notice to All Affected Customers

TelAmerica currently only serves one (1) customer in the State of Oklahoma, in Canadian County, the city of Yukon. A sample copy of the Notice sent to this customer in Oklahoma is attached as Exhibit A. TelAmerica does not have any customers in the States of Arkansas, Georgia, North Carolina, South Carolina, and Tennessee. Consequently, a Notice to Customers was not warranted in these States.

#### III. Status of Carrier

TelAmerica is non-dominant with respect to the services that it proposes to discontinue in the States of Arkansas, Georgia, North Carolina, Oklahoma, South Carolina, and Tennessee.

#### IV. <u>Circumstances of Discontinuance</u>

The Company's decision to discontinue distance telephone service in Arkansas, Georgia, North Carolina, Oklahoma, South Carolina, and Tennessee, was a difficult decision. However, since TelAmerica only has one (1) customer in one State, it was determined that the costs of doing business in these locations outweighs any revenues collected or other benefits associated with conducting business in these States.

#### V. Certification

On behalf of TelAmerica, I, the undersigned President and Chief Operating Officer of TelAmerica, Robert L. Burgess, hereby certify that the statements contained herein are true, complete and correct to the best of my knowledge and made in good faith.

#### VI. Conclusion

For the reasons stated herein, the Company respectfully requests grant of this Application.

Respectfully Submitted,

Robert L. Burgess

President and Chief Operating Officer

TLX Communications Inc. d/b/a TelAmerica 913 South Burnside Avenue Gonzales, Louisiana 70737-4258

October 21, 2008

## Exhibit A

#### EATEL

913 South Burnside Avenue Gonzales, Louisiana 70737-4258



Total Communication Solutions

October 16, 2008

Oil Center Research Inc.-OK Attn: Sally Palmintier P.O. Box 91510 Lafayette, LA 70509-1510

Re: Notice of Discontinuance of Long Distance Services for (405) 373-9006,

(405) 373-9007, (405) 373-9015, (405) 373-9016 and (405) 373-9021

Dear Ms. Palmintier:

This letter is to inform you that on or about December 1, 2008, TLX Communications, Inc. d/b/a Telamerica will no longer be providing domestic or international long distance service within the state of Oklahoma. We are providing this notice well in advance of our target termination date to provide you sufficient time to make the necessary arrangements with another carrier. It is our understanding that domestic and international long distance services are available to you from a number of other carriers. Generally, you will find a list of long distance service providers in your local telephone directory. In order to make your selection, you must contact your long distance service provider of choice and request that your service be switched to that provider.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases the public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, referencing the §63.71, Application of Advanced Tel, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions about this notice or TLX Communications' service discontinuance, please contact Janet Britton at 1-800-621-4211, extension 4498.

We thank you for the opportunity to have served you.

Sincerely,

Janet S. Britton

Director of Legal and Regulatory Affairs

JSB:alw